

**PATENT**Attorney's Docket No. 88-370**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type: (check one applicable item below)

- ☒ original  
☐ design  
☐ supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

NOTE: If one of the following 3 items apply, then complete and also attach **ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP**.

- ☐ divisional  
☐ continuation  
☐ continuation-in-part (CIP)

**INVENTORSHIP IDENTIFICATION**

WARNING: If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**LIQUID POWER MACHINE**SPECIFICATION IDENTIFICATION**

the specification of which: (complete (a), (b) or (c))

- (a) ☐ is attached hereto.  
(b) ☒ was filed on August 19, 1998 as ☒ Serial No. 09 / 136.820  
or ☐ Express Mail No., as Serial No. not yet known  
and was amended on \_\_\_\_\_ (if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

(Declaration and Power of Attorney [1-1]—page 1 of 5)

# ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information

- ☒ which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56

(also check the following items, if desired)

- ☒ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☐ In compliance with this duty there is attached an information disclosure statement in accordance with 37 CFR 1.98.

## PRIORITY CLAIM (35 U.S.C. § 119)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.  
(e) ☒ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the international application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

## A. PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
Switzerland	1997 1968/97	22 Aug. 1997	<input checked="" type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>
			<input type="checkbox"/> YES    NO <input type="checkbox"/>

(Declaration and Power of Attorney [1-1]—page 2 of 5)

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

**NOTE:** If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete **ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION** for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**POWER OF ATTORNEY**

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Robert H. Bachman (19,374), Gregory P. LaPointe (28,395),  
Barry L. Kelmachter (29,999), and George A. Coury (34,309),  
all of Bachman & LaPointe, P.C., 900 Chapel Street, Suite  
1201, New Haven, CT 06510-2802

(check the following item, if applicable)

- ☐ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

**SEND CORRESPONDENCE TO**

Bachman & LaPointe, P.C.  
900 Chapel Street, Suite 1201  
New Haven, CT 06510-2802

**DIRECT TELEPHONE CALLS TO:**  
(Name and telephone number)

Gregory P. LaPointe  
(203) 777-6628

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name as it should appear on the filing receipt and all other documents.

Full name of sole or first inventor

Istvan

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

Simon

FAMILY (OR LAST NAME)

Inventor's signature

Istvan Simon

Date 20 August 1998

Country of Citizenship

Hungarian

Residence Switzerland

Post Office Address Rosengässchen 7

8200 Schaffhausen, Switzerland

Full name of second joint inventor, if any

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Residence

Post Office Address

Full name of third joint inventor, if any

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Residence

Post Office Address

Full name of 4th joint inventor, if any

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Residence

Post Office Address

Full name of 5th joint inventor, if any

(GIVEN NAME)

(MIDDLE INITIAL OR NAME)

FAMILY (OR LAST NAME)

Inventor's signature

Date

Country of Citizenship

Residence

Post Office Address

(Declaration and Power of Attorney [1-1]—page 4 of 5)

**CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION**

- ☐ Signature for sixth and subsequent joint inventors. Number of pages added \_\_\_\_\_  
.....
- ☐ Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_  
.....
- ☐ Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 CFR 1.47. Number of pages added \_\_\_\_\_  
.....
- ☐ Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time (37 CFR 1.47).  
.....
- ☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.  
☐ Number of pages added \_\_\_\_\_  
.....
- ☐ Authorization of attorney(s) to accept and follow instructions from representative.  
.....

*(If no further pages form a part of this Declaration, then end this Declaration with this page and check the following item:)*

- ☒ This declaration ends with this page.



Applicant or Patentee: Istvan Simon Attorney's  
 Serial or Patent No.: 09/136,820 Docket No.: 98-370  
 Filed or Issued: August 19, 1998  
 For: LIQUID POWER MACHINE

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
 STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled LIQUID POWER MACHINE described in

- ( ) the specification filed herewith  
 (XXX) application serial no. 09/136,820, filed AUGUST 19, 1998.  
 ( ) patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- (XXX) no such person, concern, or organization  
 ( ) persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 ( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 ( ) INDIVIDUAL ( ) SMALL BUSINESS CONCERN ( ) NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Istvan Simon  
 NAME OF INVENTOR NAME OF INVENTOR NAME OF INVENTOR

Istvan Simon  
 Signature of Inventor Signature of Inventor Signature of Inventor

20 August 1998  
 Date Date Date

RECEIVED  
 NOV 25 1998  
 GROUP 2100



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RM#811  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : ISTVAN SIMON                      Docket No.: 98-370  
Serial No. : 09/136,820                      Examiner :  
Filed : August 19, 1998                      Art Unit : 2834  
For : LIQUID POWER MACHINE

**COMPLETED**

900 Chapel Street  
Suite 1201  
New Haven, CT 06510-2802

SUBMISSION OF SMALL ENTITY FORM AND REQUEST FOR REFUND

Hon. Commissioner of Patents and Trademarks  
United States Patent and Trademark Office  
Washington, D.C. 20231

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Dear Sir:

Submitted herewith is a properly executed Small Entity Declaration for filing in the above-identified application for United States Patent.

Consonant with 37 C.F.R. 1.28(a), Applicant respectfully requests a refund in the amount of \$395.00 for the excess filing fee paid.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184. A duplicate copy of this paper is enclosed herewith in connection with any deposit

account charge.



Respectfully submitted,

ISTVAN SIMON

By

  
Gregory P. LaPointe

Attorney for Applicant

Area Code: 203

Telephone: 777-6628

Telefax : (203)865-0297

Date: October 7, 1998

I hereby certify that this correspondence is being  
deposited with the United States Postal Service as first  
class mail in an envelope addressed to: Commissioner  
of Patents and Trademarks, Washington, D. C. 20231  
on October 7, 1998  
(Date of Deposit)  
Nancy S. Reid

Nancy S. Reid Name and Reg. No. of Attorney  
10/7/98 Signature  
Date of Signature

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GROUP 2100